

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

MICHAEL J. LEWIS,	:
Plaintiff,	:
	:
v.	: Docket No.
	: 2:23-CV-138-wks-kjd
	:
MICHAEL LYON,	:
MICHAELA MERRILL, and	:
CHANTEL WOOD,	:
Defendants.	:

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed January 4, 2024. Plaintiff's objections were filed February 12, 2024.

A district judge must make a *de novo* determination of those portions of a magistrate judge's report and recommendation to which an objection is made. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); *Perez-Rubio v. Wyckoff*, 718 F.Supp. 217, 227 (S.D.N.Y. 1989).

The district judge may "accept, reject, or modify, in whole or in part, the magistrate's proposed findings and recommendations."

Id.

After careful review of the file, the Magistrate Judge's Report and Recommendation and the objections, this Court ADOPTS the Magistrate Judge's recommendations in full.

IT IS HEREBY ORDERED that the Defendants' Motion to Dismiss (Doc. 19) is **GRANTED**. I further order that Plaintiff be allowed thirty (30) days from the date of this order within which to file an amended complaint. Failure to file an amended complaint within that time frame may result in the dismissal of Plaintiff's claims with prejudice.

In addition, Plaintiff's Motion for Temporary Restraining Order Issued Ex Parte (Doc. 24) is **DENIED** as well as Plaintiff's Motion to Waive Fees Associated with Records Request (Doc. 22). Plaintiff's Motion for Appointment of Counsel (Doc. 23) is **DENIED** without prejudice.

Dated at Burlington, in the District of Vermont, this 27th day of February, 2024.

/s/ William K. Sessions III
William K. Sessions III
District Court Judge